IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

LETTERS PATENT APPEAL NO. 236 OF 2006

IN

WRIT PETITION NO. 873 OF 2001

Hanmantrao Pandurang Indalkar. .. Appellant.

vs.

Tata Motors Limited. .. Respondent.

Mr. V.H. Shekdar for the appellant.

Mr. C.U. Singh, Sr. Adv., K.S. Bapat, H.N. Vakil and D.D. Mehta i/by Mulla & Mulla & C.B.C. for Respondent.

..

Coram: J.N. PATEL &,
A.A. SAYED, JJ.
Date: 25TH APRIL, 2007.

P.C.

. Heard

2. We have examined the records and proceedings of the Labour Tribunal and find that the learned Single Judge after considering the evidence on record has passed the order dismissing the petition without

interfering with the decision of the Labour Court in converting the punishment of dismissal into discharge which was leniency shown towards the appellant-workman. We find that the order of the learned Single Judge is a well considered order. It does not suffer from any error or illegality and, therefore, we do not find any merit in the letters patent appeal.

3. Inspite of this conclusion, we have called upon the learned counsel appearing for the respondent whether the respondent can pay by way of ex-gratia payment a sum of Rs. 50,000/- to the appellant-workman considering the fact of the appellant having lost the job and requires some financial support for his family. The learned counsel for the respondents submits that as the proposal has come from this Court the respondents are ready to accept the same and would pay a sum of Rs. 50,000/- to the appellant-workman if the appellant-workman accepts the same by informing the company in writing that he is accepting the same in full and final settlement of all his claims relating to the subject matter of this letters patent appeal. With this direction the appeal stands dismissed. No order as to costs.

(J.N. Patel, J.)

(A.A. Sayed, J.)